

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK**

PV,
Plaintiff,

v.

KRISTI NOEM, et al.,
Defendants.

Case No. 1:25-cv-00344

**Plaintiff's Declaration in support of
Temporary Restraining Order and
Preliminary Injunction**

1. My name is P V , and I am the Plaintiff in the within action. I submit this declaration in support of my motion for a temporary restraining order and preliminary injunction reinstating my SEVIS registration and F-1 student status retroactive to April 8, 2025.
2. I am a native and citizen of India, and I came to the U.S. in 2016 on an F-1 visa to pursue a M.Sc. in chemical engineering at SUNY Buffalo. I already had a bachelor's degree in chemical engineering from a university in India. I chose University at Buffalo, because I wanted to study under Dr. Edward Furlani, who was heavily involved in computational fluid dynamics, a field in which I was interested in and wanted to pursue. I graduated in 2018 with an M.Sc., and with Dr. Furlani's encouragement, enrolled in a Ph.D. program with the same university, majoring in electrochemistry. The focus of my thesis was the use of cathodic voltage to stimulate electrochemical changes around implant or prosthetic devices, in order to prevent and treat bacterial biofilm infections, and thus avoid the need for a revision surgery. I graduated with a Ph.D. in 2024, and was then granted post-completion OPT, which expires in August 2025, with an option to extend as a "STEM" OPT for another two years, to August 2027. The availability of this work authorization

was a significant factor in my decision to continue graduate studies in the US and at the University at Buffalo.

3. I have been back to India five times since I first came here in 2016, and in 2019 and again in 2025 I was issued a new F-1 visa by the US consulate in India. On both of these occasions I provided the consular officers with the details of my 2017 and 2018 arrests. As stated in the Complaint, I was arrested two times in the US for DUI-related offenses, in 2017 and 2018, when I was twenty-four years old. I pleaded guilty on both occasions to driving while ability impaired, fully complied with the terms of the sentence, and have never driven while intoxicated or ability impaired since then. In 2019, while applying to renew my F-1 visa, I underwent screening by a consular-designated physician to determine if I suffered from any type of alcohol-related disorder, and she determined that I was not. I was then interviewed by consular officials about the incidents, and on each occasion my visa was re-issued.
4. On April 8, 2025, I received an email from the University of Buffalo that my SEVIS record had been terminated that same day, that my F-1 status was no longer valid, and that my OPT work authorization had ended. I am therefore without legal status in the US, and am at risk of detention and deportation proceedings. As it is, I am afraid to leave my apartment in case I am detained by ICE and placed in removal proceedings.
5. I depend on my F-1 status for both legal status in the US as well as for income. Without it, I have no way to support myself. I have no family in the US, and my family in India cannot support me. If I am not reinstated I will lose the opportunity to continue the work I am doing, which will negatively affect me as well as the work I do. I am one of more senior people on a team of seven people, and my contributions and participation are vital

to the overall functioning of the team and to the specific work we are doing. We are currently working on a Department of Defense grant in association with Walter Reed Hospital, as veterans have a greater need for prosthetics and implants, and so benefit more from the type of work we do. If I were to leave it would be a significant setback for the project, as I have years of institutional knowledge which cannot be easily or readily replaced.

6. If I am not reinstated I may be forced to leave the US, both because I cannot remain here without any income or employment, and also because I cannot risk being placed in removal proceedings and possibly being detained. I will also lose the ability to continue working on my project, which is a long-term project to which I have devoted years of my thesis and Ph.D. program as well as my work on OPT since August 2024, and to which I intend to devote the next two years of work. I cannot reproduce this work elsewhere, and losing the ability to pursue it would be devastating for me.
7. I am therefore asking that I be immediately reinstated to my SEVIS and F-1 status.
8. I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: April 18, 2025

P V